

REMARKS

Claims 1, 4-5, and 10-11 were again rejected pursuant to 35 U.S.C. § 102(b) as being anticipated by McMorrow, et al. (U. S. Patent No. 6,569,097). Claims 2 and 6 were again rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over McMorrow, et al. in view of Zulauf (U.S. Patent No. 5,482,043). Claims 3 and 8 were again rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over McMorrow, et al. in view of Hossack, et al. (U.S. Patent No. 6,201,900). Claims 7-9 and 11 were again rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over McMorrow, et al. in view of McMorrow, et al. '468 (U.S. Patent No. 6,905,468). Claim 12 was again rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over McMorrow, et al. in view of Mullen, et al. (U.S. Patent No. 6,224,551).

Applicants respectfully request reconsideration of the rejections of claims 1-12, including independent claim 1. *New argument is added in italics.*

Independent claim 1 recites acquiring ultrasound image data at a first local location, the ultrasound data being responsive to detection in an ultrasound mode and/or scan conversion, transmitting to a remote location, and receiving processed data from the remote location.

McMorrow, et al. do not disclose these limitations. McMorrow, et al. provide remote evaluation of ultrasound information (title; and abstract). To avoid the cost of a general purpose ultrasound machine (col. 1, lines 21-27), the processing to provide a recognizable result is performed remotely (col. 2, lines 18-27; and col. 3, lines 11-15). A data collection device receives channel or element data for output (col. 4, lines 19-34; and figure 3). The data collection device is fairly simple without significant processing power (col. 4, lines 51-54). The processing of the channel data then occurs at the web server (col. 4, lines 58-60). McMorrow, et al. avoid having an ultrasound system at the scanning location, so provide raw data to the remote location (col. 6, lines 20-22; and col. 7, lines 41-50). McMorrow, et al. do not disclose acquiring image data responsive to detection and/or scan conversion for transmission to a remote location.

The Examiner alleges that, since data is digitized and stored memory prior to remote transmission, the data is necessarily detected in some sense, with demodulation of a carrier or other degree of processing not being inferred (Office Action dated February 26, 2007, page 2). However, detection is a term of art in ultrasound associated with a mode of imaging. Detectors and corresponding detection in ultrasound, given the context of this specification, clearly are associated with further processing than mere digitization and storage. Detection processes the received data to determine intensity, power, velocity, variance, acceleration or other ultrasound mode dependent information. Claim 1 has been amended without narrowing to further clarify the meaning of "detection". Claim 1 has been amended to include a list of types of ultrasound mode detection. These limitations are similar to claim 8.

McMorrow, et al. transmit raw data without any further processing. McMorrow, et al. do not suggest scan conversion or detection in an ultrasound mode for transmission.

A person of ordinary skill in the art would not have used the teachings of McMorrow, et al. '468 with another reference to provide local processing or detection in an ultrasound mode. McMorrow, et al. teaches away from local processing.

Dependent claims 2-12 depend from claim 1, so are allowable for the same reasons. The dependent claims are allowable for other reasons. For example, claim 4 recites quantification data, but McMorrow, et al. describe diagnosis and 3D image data (col. 6, lines 20-32). Claim 6 recites entering data with a user input at the remote location where the entered data is the data responsive to the image data received from the remote location. Zulauf provide for remote location voice or data feedback for patient positioning and exam administration (col. 5, lines 23-34; and col. 7, lines 1-21), but not entry of data responsive to the image data. Claim 3 recites a filtered version of the image data as the processed data. The cited portion of Hossack, et al. shows estimating motion between frames, not filtering at the remote site. Claim 12 recites encrypting prior to transmitting or receiving. Mullen shows password protection limiting access (col. 2, line 64-col. 3, line 15), not encryption.

Regarding claims 7-9 and 11, a person of ordinary skill in the art would not have used the teachings of McMorrow, et al. '468 with McMorrow, et al. to the extent '468 shows local imaging. McMorrow, et al. teaches away from local processing. In addition, '468 does not show the "during the imaging session" aspects of claim 9.

CONCLUSION:

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the undersigned at (650) 943-7554 or Craig Summerfield at (312) 321-4726.

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